

# COMMITTEE REPORT

## MR. PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 124, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be **AMENDED** as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 professions and occupations.
- 4 Page 1, line 1, after "1." insert "IC 25-23.6-1-3.9 IS ADDED TO
- 5 THE INDIANA CODE AS A **NEW** SECTION TO READ AS
- 6 FOLLOWS".
- 7 Page 1, line 1, delete the effective date "[EFFECTIVE JANUARY
- 8 1, 1999 (RETROACTIVE)]" and insert the effective date
- 9 "[EFFECTIVE JULY 1, 1999]:".
- 10 Page 1, delete line 2 and insert "**Sec. 3.9**".
- 11 Page 1, line 3, delete "(b) This SECTION applies to" and insert
- 12 **""Governmental employee" means**".
- 13 Page 1, run in lines 1 through 3.
- 14 Page 1, line 4, after "," insert "**the division of family and**
- 15 **children, the division of mental health, the division of disability,**
- 16 **aging, and rehabilitative services,**".
- 17 Page 1, line 5, after "health" insert "**as of July 1, 1999,**".
- 18 Page 1, delete line 10.
- 19 Page 1, line 11, delete "5" and insert "**4**".
- 20 Page 1, line 12, delete "6" and insert "**5**".

- 1 Page 1, line 13, delete "7" and insert "6".
- 2 Page 1, line 14, delete "8" and insert "7".
- 3 Page 1, line 15, delete "9" and insert "8".
- 4 Page 1, line 16, delete "10" and insert "9".
- 5 Page 1, delete lines 17 through 18.
- 6 Page 2, line 1, delete "13" and insert "10".
- 7 Page 2, line 2, delete "14" and insert "11".
- 8 Page 2, line 3, delete "15" and insert "12".
- 9 Page 2, line 4, delete "16" and insert "13".
- 10 Page 2, line 4, delete "Psychological" and insert "**Psychiatric**".
- 11 Page 2, line 5, delete "17" and insert "14".
- 12 Page 2, line 5, delete "Psychological" and insert "**Psychiatric**".
- 13 Page 2, line 6, delete "18" and insert "15".
- 14 Page 2, line 6, delete "Psychological" and insert "**Psychiatric**".
- 15 Page 2, delete lines 7 through 25, begin a new paragraph and
- 16 insert:
- 17 "SECTION 2. IC 25-23.6-4-2 IS AMENDED TO READ AS
- 18 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) This article may
- 19 not be construed to limit the social work or clinical social work services
- 20 performed by a person who does not use a title specified in this article
- 21 and who is one (1) of the following:
- 22 (1) A licensed or certified health care professional acting within
- 23 the scope of the person's license or certificate.
- 24 (2) A student, an intern, or a trainee pursuing a course of study
- 25 in medicine, psychology, or a course of study to gain licensure
- 26 under this article in an accredited institution of higher education
- 27 or training institution accredited by the Council on Social Work
- 28 Education, or a graduate accumulating experience required for
- 29 licensure if:
- 30 (A) the services are performed under qualified supervision
- 31 and constitute a part of the person's supervised course of
- 32 study or other level of supervision; and
- 33 (B) the student or graduate uses a title that contains the term
- 34 "intern", "student", or "trainee".
- 35 (3) Not a resident of Indiana if the person performed social work
- 36 in Indiana for not more than five (5) days in any one (1) month
- 37 or more than fifteen (15) days in any one (1) calendar year and
- 38 the person is authorized to perform such services under the laws

of the state or country in which the person resides.

(4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.

(5) An employee or a volunteer for a nonprofit corporation or an organization performing charitable, religious, or educational functions, providing pastoral counseling, or other assistance.

(6) A person who provides school counseling or a person who is certified by a state or national organization that is recognized by the Indiana division of mental health and who provides counseling in the areas of alcohol or drug abuse addictions.

**(7) A governmental employee who remains in the same job classification as the governmental employee held on July 1, 1999.**

(b) Nothing in this section prohibits a person referred to in subsection (a) from qualifying for licensure under this article.

SECTION 3. IC 25-23.6-4.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) This article may not be construed to limit the mental health counseling services performed by a person who does not use a title specified in this article and who is one (1) of the following:

(1) A licensed or certified health care professional acting within the scope of the person's license or certificate.

(2) A student, an intern, or a trainee pursuing a course of study in medicine, psychology, or a course of study to gain licensure under this article in an accredited institution of higher education or training institution, or is a graduate accumulating experience required for licensure if:

(A) the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and

(B) the student or graduate uses a title that contains the term "intern" or "trainee".

(3) Not a resident of Indiana if the person performed the services in Indiana for not more than five (5) days in any one (1) month or fifteen (15) days within any one (1) calendar year and the person is authorized to perform such services under the laws of the state or country in which the person resides.

(4) A rabbi, priest, Christian Science practitioner, minister, or

- 1 other member of the clergy.
- 2 (5) An employee or a volunteer for a nonprofit corporation or an
- 3 organization performing charitable, religious, or educational
- 4 functions, providing pastoral counseling, or providing other
- 5 assistance.
- 6 (6) A person who provides school counseling or a person who is
- 7 certified by a state or national organization that is recognized by
- 8 the Indiana division of mental health and who provides
- 9 counseling in the areas of alcohol or drug abuse addictions.
- 10 **(7) A governmental employee who remains in the same job**
- 11 **classification as the governmental employee held on July 1,**
- 12 **1999.**
- 13 (b) Nothing in this section prohibits a person referred to in
- 14 subsection (a) from qualifying for licensure under this article.".
- 15 Renumber all SECTIONS consecutively.
- (Reference is to SB 124 as introduced.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 9, Nays 0.

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**Miller**

**Chairperson**